UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/839,000	04/21/2001	Masahiro Nakano	50P4426	2737

			EXAMINER
7590	12/29/2004		FISH, JAMIESON W

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ART UNIT	PAPER NUMBER
2616	

DATE MAILED: 12/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/839,000	NAKANO ET AL.
	Examiner	Art Unit	
	Jamieson W. Fish	2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _21 April 2001_.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-22_ is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-22_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _21 April 2004_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All   b)☐ Some * c)☐ None of:

   1.☐ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____.

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

Information Disclosure Statement

1.   The information disclosure statement (IDS) filed on 21 April 2001 has been

considered by the examiner.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless —
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3.   Claims **1-22** are rejected under 35 U.S.C. 102(e) as being anticipated by Taguchi

et al. (US 2002/0144289).

4.   Regarding claim **1**, Taguchi teaches an interactive television comprising; a

housing (See Fig. 6 and Paragraphs 64 and 66. Television display and hardware are

contained in the main block of Fig. 6. This block is a housing.); a television tuner in the

housing (See Fig. 6 TV tuner 140 and Paragraph 65); a microprocessor associated with

the tuner (See Fig. 6 CPU 120 and Paragraph 65); a user input device communicating

with the microprocessor (See Fig. 6 Media control device 126 and paragraph 66); a

memory system communicating with the microprocessor (See Fig. 6 Memory 124, HDD

122 and Paragraph 64), the memory system storing user data and virtual channels (See

Fig. 7 Personal Information DB 170 and Paragraphs 70), the user data being at least

partially based on signals received from the user input device (See Paragraph 70 Users "maintain" and "request" both of these would be facilitated through signals received from the user input device); and a computer communication device connected to the microprocessor and to a computer network (See Fig. 6 Network I/F 130 and Paragraph 64), the virtual channels in the memory system being updated in accordance with data received from the communication device, the virtual channels being established at least partially based on the user data (See Paragraph 70).

5.   Regarding claim **2**, Taguchi teaches wherein the computer communication device is a modem (See Paragraph 53).

6.   Regarding claim **3**, Taguchi teaches wherein the virtual channels are Web pages (See Paragraph 70 "http//www.yahoo.com" is a webpage).

7.   Regarding claim **4**, Taguchi teaches wherein the microprocessor is in the housing (See Fig. 6 and Paragraphs 64 and 66. Television display and hardware are contained in the main block of Fig. 6. This block is a housing.) or in a set-top box separate from the housing (See Paragraph 12 the web tuner system can output to external equipment and thus the microprocessor would be in a set top box in a separate housing from the TV).

8.   Regarding claim **5**, Taguchi teaches the ITV further comprising a data bus communicating with the microprocessor, memory system, and TV tuner (See Fig. 6 Bus 134 and Paragraph 64), the microprocessor correlating channel numbers with virtual channels (See Paragraph 70 "Channel mapping program" correlates channel numbers with virtual channels and is executed by CPU).

9.   Regarding claim **6**, Taguchi teaches further comprising an electronic channel

guide displayed on the ITV, the virtual channels being listed by channel number and by

name on the electronic channel guide (See Fig 9 and Paragraph 72).

10.   Regarding claim **7**, Taguchi teaches an interactive television (ITV), comprising: a

housing (See Fig. 6 and Paragraphs 64 and 66. Television display and hardware are

contained in the main block of Fig. 6. This block is a housing); a television tuner in the

housing (See Fig. 6 TV tuner 140 and Paragraph 65); a microprocessor (See Fig. 6

CPU 120 and Paragraph 65); a user input device communicating with the

microprocessor (See Fig. 6 Media control device 126 and paragraph 66); and a memory

system communicating with the microprocessor (See Fig. 6 Memory 124, HDD 122 and

Paragraph 64), the memory system storing user data (See Fig. 7 Personal Information

DB 170 and Paragraphs 70), the user data being at least partially based on signals

received from the user input device (See Paragraph 70 Users "maintain" and "request"

both of these would be facilitated through signals received from the user input device),

wherein the memory system further stores virtual channels displayable on the ITV (See

Paragraph 70 "logical channel values" mapped into "real media information" is a virtual

channel), and the microprocessor accesses the memory system to display a virtual

channel in response to user input (See Paragraph 70 "returns a real media resource").

11.   Regarding claim **8**, Taguchi teaches further comprising a computer

communication device connected to the microprocessor and to a computer network

(See Fig. 6 Network I/F 130 and Paragraph 64), the virtual channels in the memory

system being updated in accordance with data received from the communication device

(See Paragraph 70 Real media resource is returned when requested by user. Real media resources are automatically updated).

12.   Regarding claim **9**, Taguchi teaches wherein the computer communication device is a modem (See Paragraph 53).

13.   Regarding claim **10**, Taguchi teaches wherein the virtual channels are Web-based channels (See Paragraph 70 "http://www.yahoo.com" is a Web-based channel).

14.   Regarding claim **11**, Taguchi teaches wherein the virtual channels are Web pages (See Paragraph 70 "http://www.yahoo.com" is a Web page).

15.   Regarding claim **12**, Taguchi teaches wherein the microprocessor is in the housing (See Fig. 6 and Paragraphs 64 and 66. Television display and hardware are contained in the main block of Fig. 6. This block is a housing.) or in a set top box separate from the housing (See Paragraph 12 the web tuner system can output to external equipment and thus the microprocessor would be in a set top box in a separate housing from the TV).

16.   Regarding claim **13**, Taguchi teaches further comprising a data bus communicating with the microprocessor, memory system, and TV tuner (See Fig. 6 Bus 134 and Paragraph 64), the microprocessor correlating channel numbers with virtual channels (See Paragraph 70 "Channel mapping program" correlates channel numbers with virtual channels and is executed by CPU).

17.   Regarding claim **14**, Taguchi teaches further comprising an electronic channel guide displayed on the ITV, the virtual channels being listed by channel number and by name on the electronic channel guide (See Fig 9 and Paragraph 72).

18.   Regarding claim **15**, Taguchi teaches an interactive television (1TV), comprising:

a housing (See Fig. 6 and Paragraphs 64 and 66. Television display and hardware are

contained in the main block of Fig. 6. This block is a housing); a television tuner in the

housing (See Fig. 6 TV tuner 140 and Paragraph 65); a microprocessor (See Fig. 6

CPU 120 and Paragraph 65); a user input device communicating with the

microprocessor (See Fig. 6 Media control device 126 and paragraph 66); a memory

system communicating with the microprocessor (See Fig. 6 Memory 124, HDD 122 and

Paragraph 64), the memory system storing virtual channels (See Paragraph 70 "logical

channel values" mapped into "real media information" is a virtual channel); and a

computer communication device connected to the microprocessor and to a computer

network (See Fig. 6 Network I/F 130 and Paragraph 64), the virtual channels in the

memory system being updated in accordance with data received from the computer

communication device such that the virtual channels can be displayed on the ITV (See

Paragraph 70 Real media resource is returned when requested by user. Real media

resources are automatically updated).

19.   Regarding claim **16**, Taguchi teaches wherein the microprocessor accesses the

memory system to display a virtual channel in response to user input (See Paragraph

70 "returns a real media resource").

20.   Regarding claim **17**, Taguchi teaches wherein the memory system stores user

data the user data being at least partially based on signals received from the user input

device (See Paragraph 70 Users "maintain" and "request" both of these would be

facilitated through signals received from the user input device).

21.   Regarding claim **18**, Taguchi teaches wherein the computer communication

device is a modem (See Paragraph 53).

22.   Regarding claim **19**, Taguchi teaches wherein the virtual channels are Web-

based channels (See Paragraph 70 "http://www.yahoo.com" is a Web-based channel).

23.   Regarding claim **20**, Taguchi teaches wherein the virtual channels are Web

pages (See Paragraph 70 "http://www.yahoo.com" is a Web page).

24.   Regarding claim **21**, Taguchi teaches the ITV further comprising a data bus

communicating with the microprocessor, memory system, and TV tuner, the

microprocessor correlating channel numbers with virtual channels (See Fig. 6 Bus 134

and Paragraph 64).

25.   Regarding claim **22**, Taguchi teaches further comprising an electronic channel

guide displayed on the ITV, the virtual channels being listed by channel number and by

name on the electronic channel guide (See Fig 9 and Paragraph 72).

Conclusion

26.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure. Nobakht et al. (US 6,745,223) teaches an interactive television

that stores web pages as virtual channels.

27.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Jamieson W. Fish whose telephone number is 703-305-

0884. The examiner can normally be reached on 8-5.

28.   If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Ngoc Vu can be reached on 703-305-4946. The fax phone number for the

organization where this application or proceeding is assigned is 703-872-9306.

29.   Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

JF 11/07/2004

NGOC-YEN VU
PRIMARY EXAMINER